

REMARKS

In the September 8, 2006 Office Action, claims 1, 3, 11 and 19 stand rejected in view of prior art, while claims 2, 4-10, 12-18 and 20 were indicated as containing allowable subject matter. Claims 1, 3, 4, 8-11, 19 and 20 also were rejected for failing to indicate and claim particularly and distinctly the subject matter that Applicant regards as the invention. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the September 8, 2006 Office Action, Applicant has amended claims 1, 5, 11 and 19, canceled claim 2 and added new claims 21-24 as indicated above. Applicant wishes to thank the Examiner for this indication of allowable subject matter and the thorough examination of this application. Thus, claims 1 and 3-24 are pending, with claims 1, 11, 12, 18, 19 and 20 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Claim Rejections - 35 U.S.C. §112

In paragraph 1 of the Office Action, claims 1, 3, 4, 8-11, 19 and 20 were rejected under 35 U.S.C. §112, second paragraph. Specifically, the Office Action alleges that the second tether anchor was omitted from these claims and further alleges that device would not operate without this element. Applicant respectfully disagrees with this assertion in that the inventions defined by claims 1, 3, 4, 8-11, 19 and 20 have utility without the second tether anchor.

In response, Applicant has amended independent claim 1 to include the subject matter of allowable dependent claim 2. Specifically, Applicant now recites in claim 1 the allegedly missing the second tether anchor. Applicant respectfully submits that claim 1 is now in condition for allowance. Since claims 3, 4 and 8-10 depend from amended independent claim 1, Applicant believes that claims 1, 3, 4 and 8-11 now comply with 35 U.S.C. §112, second paragraph and are likewise in allowable condition.

Similarly, independent claim 11 has been amended to include the second tether anchor and is now also believed to be in condition for allowance.

With respect to claim 19, Applicant respectfully requests reconsideration of the rejection. Applicant respectfully asserts that the second tether anchor is not necessary for the invention as recited in amended independent claim 19. Specifically, the vehicle child seat

tether anchor structure recited in claim 19 does not require the vehicle mounting member or the second tether anchor in order to provide utility and it can operate without the vehicle mounting member or the second tether anchor.

First, Applicant originally envisioned that one aspect of the present invention (as recited in original claims 1 and 19) was a first (single) tether anchor with a height adjustment arrangement that allows the tether to be raised and lower relative to the vehicle floor. Thus, the single tether anchor with a height adjustment arrangement is a ***complete invention that is fully operable as claimed***. The first (single) tether anchor with the height adjustment arrangement operates without the second tether anchor to provide a variable height tether anchor. The second tether anchor is used to securely fasten the first tether anchor to a structural member of the vehicle body. However, the first (single) tether anchor can be fixed to a structural member of the vehicle body in other ways. For example, the single tether anchor with its height adjustment arrangement can be fixedly fastened directly to a structural part of the vehicle floor using other types of securing arrangements.

Second, Applicant is not required to claim all the parts of an invention to make a fully operable device. For example, patents are often granted on automotive parts that are inoperable if not installed in a vehicle, i.e., a vehicle fender, a vehicle frame, a vehicle body, etc. Thus, the single tether anchor with a height adjustment arrangement of the present invention, as set forth in claim 19, is an automotive part that can be sold separately as a replacement part or for retrofitted to an existing vehicle. Therefore, the single tether anchor with a height adjustment arrangement of the present invention, as set forth in claim 19 has utility on its own. This protection is desirable to prevent competitors from making after-market products that lie within the scope of the present invention.

Applicant respectfully submits that amended independent claim 19 recites a novel combination of features that are fully supported by the specification and comply with 35 USC § 112 second paragraph. Applicant further respectfully submits that amended independent claim 19 clearly distinguishes the invention over the cited prior art and is in condition for allowance.

With respect to claim 20, Applicant respectfully requests reconsideration of the rejection because independent claim 20 recites both first and second tether anchors. Applicant concludes that the rejection of claim 20 was a typographical error.

Applicant believes that the claims now comply with 35 U.S.C. §112, second paragraph. Withdrawal of the rejections is respectfully requested.

Rejections - 35 U.S.C. § 102

In paragraphs 2 and 3 of the Office Action, claims 1, 3, 11 and 19 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,767,057 (Neelis). In response, Applicant has amended independent claims 1, 11 and 19 to clearly define the present invention over the prior art of record.

In particular, independent claims 1 and 11 have been amended to recite a second tether anchor. Clearly, this structure is *not* disclosed or suggested by Neelis or any other prior art of record. Further, the amendment to independent claim 1 includes the subject matter of allowable claim 2. Amendments to claim 11 similarly includes the subject matter of allowable claim 2. Therefore, Applicant respectfully submits that claims 1 and 11, as now amended, are not anticipated by the prior art of record. Withdrawal of this rejection is respectfully requested.

Moreover, Applicant believes that the dependent claims 3-10 are also allowable over the prior art of record in that they depend from amended independent claim 1, and therefore are allowable for the reasons stated above. Also, the dependent claims 3-10 are further allowable because they include additional limitations. Thus, Applicant believes that since the prior art of record does not anticipate the independent claim 1, neither does the prior art anticipate the dependent claims.

Applicant respectfully requests withdrawal of the rejections.

Applicant has amended claim 19 to recite a vehicle structure that includes a vehicle body panel and a vehicle child seat tether anchor structure. Claim 19 further recites that the vehicle child seat tether anchor structure includes a tether anchor and a height adjustment arrangement. Claim 19 goes on to recite that the height adjustment arrangement has a first height adjustment portion and a second height adjustment portion. Claim 19 recites that the first height adjustment portion is configured to move in a direction perpendicular to the vehicle body panel and is fixedly coupled to the tether anchor. Claim 19 further recites that the second height adjustment portion is fixedly coupled to the vehicle body panel. Claim 19 goes on to recite that the first and second height adjustment portions are configured and arranged to selectively retain the tether anchor in at least one of a first position relative to the vehicle body panel and a second position relative to the vehicle body panel.

Applicant respectfully submits that amended independent claim 19 recites a novel combination of features that are neither disclosed nor suggested by Neelis. Applicant further respectfully submits that amended independent claim 19 clearly distinguishes the invention over the cited prior art and is in condition for allowance.

Allowable Subject Matter

In paragraphs 4, 5 and 6 of the Office Action, claims 12-18 were allowed and claims 2, 4-10 and 20 were indicated as containing allowable subject matter. Applicant wishes to thank the Examiner for this indication of allowable subject matter and the thorough examination of this application. In response, Applicant has amended claims 1 and 11 to include the subject matter of allowable claim 2, as indicated above. Thus, independent claims 1 and 11 are believed to be allowable.

New Claims 21-24

New dependent claims 21-24 have been introduced and depend from amended independent claim 19. Since claim 19 is now in allowable, Applicant respectfully asserts that new dependent claims 21-24 are likewise allowable.

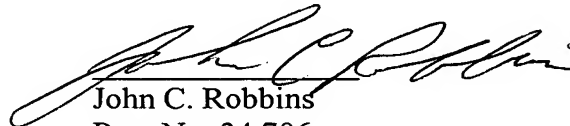
Prior Art Citation

In the Office Action, additional prior art references were made of record. Applicant believes that these references do not render the claimed invention obvious.

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In view of the foregoing amendment and comments, Applicant respectfully asserts that claims 1, 3-24 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,


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